

ANNEXATION ORDINANCE NO. X- 02-90

AN ORDINANCE annexing certain territory commonly known as the Hearthstone Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of fifty-one percent (51%) of the territory sought to be annexed and by the owners of seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; AND,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northeast One-quarter and the Northwest One-quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the south right of way line of Wallen Road and the east right of way line of the abandoned New York Central Railroad; thence South along the said east right of way line to east-west center line of Section 11, Township 31 North, Range 12 East; thence West along said east-west center line 100 feet to the west right of way line of the abandoned New York Central Railroad; thence West along said east-west center line also being the present city limits 1070.11 feet; thence North 0 degrees 27 minutes 20 seconds East a distance of 173.44 feet; thence North 12 degrees 49 minutes 43 seconds East a distance of 612.58 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 226.32 feet; thence South 88 degrees 42 minutes 30 seconds East a distance

of 150.0 feet; thence North 81 degrees 56 minutes 34 seconds East a distance of 50.67 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 130.0 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 273.94 feet; thence North 6 degrees 45 minutes 32 seconds West a distance of 186.19 feet; thence North 2 degrees 01 minutes 25 seconds West a distance of 92.87 feet; thence North 9 degrees 09 minutes 32 seconds East a distance of 94.74 feet; thence North 20 degrees 29 minutes 09 seconds East a distance of 94.74 feet; thence North 29 degrees 38 minutes 56 seconds West a distance of 279.01 feet; thence North 0 degrees 00 minutes West a distance of 344.11 feet; thence South 89 degrees 59 minutes 52 seconds East a distance of 402.0 feet; thence North 0 degrees 36 minutes 06 seconds East to the south right of way line of Wallen Road; thence East along the south right of way line to the point of beginning containing 52 acres more or less.

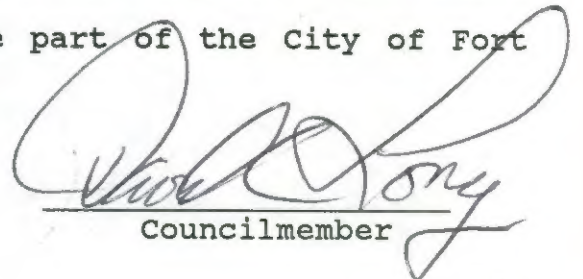
The boundaries of said territory are those outlined in the location map designated "Hearthstone Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

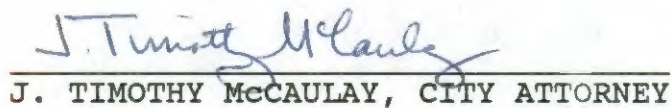
1 SECTION 3. That governmental and proprietary
2 services will be provided to the above described territory
3 in a manner consistent with the written Fiscal Plan for the
4 territory developed by the Division of Community and
5 Economic Development. Said Plan was examined by the Common
6 Council of the City of Fort Wayne and is approved and
7 adopted by the Common Council way of a separate Resolution
8 adopted contemporaneously with the passage of this
9 Ordinance.

10 SECTION 4. That said described territory shall be
11 a part of Councilmanic Political Ward No. 3 of the City of
12 Fort Wayne, Indiana, as described in Division I, Section 2-9
13 of Chapter 2 of the Municipal Code of the City of Fort
14 Wayne, Indiana of 1974, as amended.

15 SECTION 5. That, after its passage, and any and
16 all necessary approval by the Mayor, due legal publication,
17 and the required sixty (60) day remonstrance period, this
18 Ordinance shall be in full force and effect. The above
19 described territory shall become part of the City of Fort
20 Wayne on December 31, 1994.

21 
22 Councilmember

23
24 APPROVED AS TO FORM AND LEGALITY

25
26 
27 J. TIMOTHY McCAULAY, CITY ATTORNEY
28
29
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Read the first time in full and on motion by Bradbury, seconded by Delrio, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 3-13-90

Margie Eschaff
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Delrio, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>-</u>			
LONG	<u>-</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 4-24-90

Margie Eschaff
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-02-90 on the 24th day of April, 1990,

ATTEST

SEAL

Margie Eschaff
SANDRA E. KENNEDY, CITY CLERK

Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1990, at the hour of 11:30 o'clock A. M., E.S.T.

Margie Eschaff
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of April, 1990, at the hour of 6:50 o'clock P. M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

BEFORE THE COMMON COUNCIL OF THE CITY OF FORT WAYNE

IN RE: THE VOLUNTARY ANNEXATION OF THE HEARTHSTONE
ANNEXATION AREA

Come now the undersigned and petition the Common Council of the City of Fort Wayne, pursuant to I.C. 36-4-3-5 for the voluntary annexation of the territory described in Exhibit "A" attached hereto. In support of said petition, the undersigned represent:

- 1.) That said land is contiguous to the City of Fort Wayne.
- 2.) That the undersigned represent fifty-one percent (51%) of the owners of land in the territory sought to be annexed.
- 3.) That the undersigned represent the owners of seventy-five percent (75%) of the total assessed value of the land for property tax purposes.
- 4.) The undersigned request that the Common Council adopt an ordinance annexing the area described in Exhibit "A" with the annexation to be effective December 31, 1994.

Respectfully submitted:

DATE:

3/13/90

North Eastern Construction Co., Inc.

By: _____

Joseph L. Zehr, President

EXHIBIT "A"

A parcel of land located in the Northeast One-quarter and the Northwest One-quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the south right of way line of Wallen Road and the east right of way line of the abandoned New York Central Railroad; thence South along the said east right of way line to east-west center line of Section 11, Township 31 North, Range 12 East; thence West along said east-west center line 100 feet to the west right of way line of the abandoned New York Central Railroad; thence West along said east-west center line also being the present city limits 1070.11 feet; thence North 0 degrees 27 minutes 20 seconds East a distance of 173.44 feet; thence North 12 degrees 49 minutes 43 seconds East a distance of 612.58 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 226.32 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 150.0 feet; thence North 81 degrees 56 minutes 34 seconds East a distance of 50.67 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 130.0 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 273.94 feet; thence North 6 degrees 45 minutes 32 seconds West a distance of 186.19 feet; thence North 2 degrees 01 minutes 25 seconds West a distance of 92.87 feet; thence North 9 degrees 09 minutes 32 seconds East a distance of 94.74 feet; thence North 20 degrees 29 minutes 09 seconds East a distance of 94.74 feet; thence North 29 degrees 38 minutes 56 seconds West a distance of 279.01 feet; thence North 0 degrees 00 minutes West a distance of 344.11 feet; thence South 89 degrees 59 minutes 52 seconds East a distance of 402.0 feet; thence North 0 degrees 36 minutes 06 seconds East to the south right of way line of Wallen Road; thence East along the south right of way line to the point of beginning containing 52 acres more or less

Admn. Appr. _____

DIGEST SHEET

X-90-03-09

TITLE OF ORDINANCE HEARTHSTONE ANNEXATION ORDINANCE

DEPARTMENT REQUESTING ORDINANCE COMMUNITY AND ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE APPROVES VOLUNTARY ANNEXATION OF HEARTHSTONE

SUBDIVISION EFFECTIVE 12/31/94. REAL ESTATE IS CONTIGUOUS TO
THE CITY AND ALSO BORDERS WALLEN ROAD.

EFFECT OF PASSAGE ANNEXATION APPROVED

EFFECT OF NON-PASSAGE ANNEXATION DELAYED

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) FISCAL PLAN TO BE

AVAILABLE PRIOR TO PASSAGE

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. X-90-03-09

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRPERSON
BURNS, EDMONDS, HENRY

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain
territory commonly known as the Hearthstone Annexation Area
to Fort Wayne and including the same in Councilmanic District
No. 3

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)X

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Clatus R Edmond

Samuel J. Telarico

DATED: 4-24-90.

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

April 30, 1990

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
May 3 and May 10, 1990, in both the News Sentinel and
Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-90-03-09
Annexation Ordinance No. X-02-90

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1



MEMORANDUM

TO: City Council Members

FROM: Greg Purcell
Director, Community & Economic Development

DATE: April 18, 1990

SUBJECT: Hearthstone Annexation (Bill No. X-90-03-90)

Attached is the fiscal plan for the Hearthstone Annexation. A petition for voluntary annexation of this 52-acre site was submitted by North Eastern Construction Company, Inc., owner and developer of the land, on March 13, 1990. This site, which is vacant, is proposed to be developed with 131 single-family homes and is the site for the 1990 Parade of Homes.

The annexation is proposed to become effective December 31, 1994, at which time it is projected the site will be fully developed.

GP/GS/amw

Attachment

LEGAL NOTICE

Notice is hereby given that on the 24th day of
April, 19 90, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-90-03-09 Annexation
Ordinance No. X-02-90 to-wit:

Bill No. X- 90-03-09.

ANNEXATION ORDINANCE NO. X- 02-90

AN ORDINANCE annexing certain territory
commonly known as the Hearthstone
Annexation Area to Fort Wayne and
including the same in Councilmanic
District No. 3.

WHEREAS, a petition for voluntary annexation has
been filed with the Common Council; and,

WHEREAS, said petition has been signed by the
owners of fifty-one percent (51%) of the territory sought to
be annexed and by the owners of seventy-five percent (75%)
of the total assessed value of the territory for property
tax purposes; AND,

WHEREAS, said land described in petition is
located outside of but contiguous to the City of Fort Wayne;
and

WHEREAS, the City of Fort Wayne is desirous of
annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory
be and the same is hereby annexed to, and made a part of,
the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northeast One-
quarter and the Northwest One-quarter of
Section 11, Township 31 North, Range 12 East,
Allen County, Indiana, more particularly
described as follows:

Beginning at the intersection of the south
right of way line of Wallen Road and the east
right of way line of the abandoned New York
Central Railroad; thence South along the said
east right of way line to east-west center
line of Section 11, Township 31 North, Range
12 East; thence West along said east-west
center line 100 feet to the west right of way

of 150.0 feet; thence North 81 degrees 56 minutes 34 seconds East a distance of 50.67 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 130.0 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 273.94 feet; thence North 6 degrees 45 minutes 32 seconds West a distance of 186.19 feet; thence North 2 degrees 01 minutes 25 seconds West a distance of 92.87 feet; thence North 9 degrees 09 minutes 32 seconds East a distance of 94.74 feet; thence North 20 degrees 29 minutes 09 seconds East a distance of 94.74 feet; thence North 29 degrees 38 minutes 56 seconds West a distance of 279.01 feet; thence North 0 degrees 00 minutes West a distance of 344.11 feet; thence South 89 degrees 59 minutes 52 seconds East a distance of 402.0 feet; thence North 0 degrees 36 minutes 06 seconds East to the south right of way line of Wallen Road; thence East along the south right of way line to the point of beginning containing 52 acres more or less.

The boundaries of said territory are those outlined in the location map designated "Hearthstone Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

14 all necessary approval by the Mayor, due legal publication,
15 and the required sixty (60) day remonstrance period, this
16 Ordinance shall be in full force and effect. The above
17 described territory shall become part of the City of Fort
18 Wayne on December 31, 1994.

19
20 
21 Councilmember
22 David C. Long

Read the third time in full and on motion by Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Burns, Edmonds, GiaQuinta, Henry,
Long, Redd, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATED: 4-24-90 Nadejda Eshcoff
Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-90, on the 24th day of April, 1990.

ATTEST: (SEAL)

Nadejda Eshcoff
Deputy Clerk

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1990, at the hour of 11:30 o'clock A.M., E.S.T.

Nadejda Eshcoff
Deputy Clerk

Approved and signed by me this 26th day of April, 1990, at the hour of 6:50 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of

Annexation Ordinance No. X-02-90,
passed by the Common Council on the 24th day of
April, 19 90, and that said Ordinance was
duly signed and approved by the Mayor on the 26th day of
April, 19 90, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of April, 19 90.

SEAL

SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council
(Governmental Unit)
Allen
County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

157 lines, 1 columns wide equals 157 equivalent lines
at .495 cents per line \$ 77.72

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 79.72

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: May 10, 19 90 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred

who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general

circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time (s), the dates of publication being as follows:

5/3, 10/90

described and sworn to before me this 10th day of May 19 90.

commission expires: March 3, 1994

Notary Public Whitley County, IN
SHELLEY R. LARUE

1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-90-03-09 Annexation Ordinance No. X-02-90
Bill No. X-90-03-09
ANNEXATION ORDINANCE NO. X-02-90
AN ORDINANCE annexing certain territory commonly known as the Hearthstone Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.
WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,
WHEREAS, said petition has been signed by the owners of fifty-one percent (51%) of the territory sought to be annexed and by the owners of seventy-five percent (75%) of the total assessed value of the territory for property tax purposes;
AND,
WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne;
AND,
WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:
A parcel of land located in the Northeast one-quarter and the Northwest One-quarter of Section 1, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:
Beginning at the intersection of the south right of way line of Wallen Road and the east right of way line of an abandoned New York Central Railroad; thence south along the said east right of way line to east-west center line 100 feet to the west right of way line of the abandoned New York Central Railroad; thence West along said east-west center line also being the present city limits 1070.11 feet; thence North 0 degrees 27 minutes 20 seconds East a distance of 173.44 feet; thence North 12 degrees 49 minutes 43 seconds East a distance of 612.58 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 226.32 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 150.0 feet; thence North 81 degrees 56 minutes 34 seconds East a distance of 50.67 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 130.0 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 273.94 feet; thence North 6 degrees 45 minutes 32 seconds West a distance of 186.19 feet; thence North 2 degrees 01 minutes 25 seconds West a distance of 92.87 feet; thence North 9 degrees 09 minutes 32 seconds East a distance of 94.74 feet; thence North 29 degrees 38 minutes 56 seconds West a distance of 279.01 feet; thence North 0 degrees 00 minutes West a distance of 4.11 feet; thence South 89 degrees 59 minutes 52 seconds East a distance of 402.0 feet; thence North 0 degrees 36 minutes 06 seconds East to the south right of way line of Wallen Road; thence East along the south right of way line to the point of beginning containing 52 acres more or less.
The boundaries of said territory are those outlined in a location map designated "Hearthstone Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, annexed services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory.
The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (30) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with general, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan is examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council way of a separate Resolution adopted contemporaneously with the passage of this Ordinance.
SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 1 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.
SECTION 5. That, after its passage, and any and all necessary approval by the Mayor, due legal publication, and and the required sixty (60) day non-objection period, this Ordinance shall be in full force and effect. The above described territory shall come part of the City of Fort Wayne on December 1, 1994.
Councilmember
David C. Long
read the third time in full and on motion by Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Nine
Bradbury, Burns, Edmonds, Glazienta, Henry, Long, Redd, Schmidt, Talarico
Nays: none
ABSENT: None
ABSTAINED: none
DATED: 4-24-90
Nadejda Eshcoff
Deputy Clerk
passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-90, on the 24th day of April, 1990.
ATTEST:
Nadejda Eshcoff
Deputy Clerk
Charles R. Redd
Presiding Officer
represented by Me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1990, at the hour of 11:30 o'clock A.M., E.S.T.
Nadejda Eshcoff
Deputy Clerk
approved and signed by me this 26th day of April, 1990, at the hour of 6:50 o'clock P.M., E.S.T.
Paul Helmke
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-90, passed by the Common Council on the 24th day of April, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of April, 1990, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of April, 1990.
SANDRA E. KENNEDY, CITY CLERK
6-3-10

Type in which the body of the advertisement is set)

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columns wide equals 157 equivalent lines

\$ 77.72

a containing rule or tabular work

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publication (\$1.00 for each proof in excess of two)

2.00

AIM

\$ 79.72

ST

5 ems

and penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount allowing all just credits, and that no part of the

19 90

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred

she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for two time (s), the dates of publication being as follows:

5/3, 10/90

subscribed and sworn to before me this 10th day of May, 19 90.

Shelley R. Larue
Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

Fort Wayne Common Council
(Governmental Unit)

To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN Dr.

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
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(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 79.72

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: May 10, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/ she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

5/3, 10/90

Described and sworn to before me this 10th day of May, 19 90.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

60% UP TO & Borders Paper

LEGAL NOTICE

Notice is hereby given that on the 24th day of April, 1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-90-03-09 Annexation Ordinance No. X-02-90 to-wit:

Bill No. X-90-03-09.

ANNEXATION ORDINANCE NO. X-02-90

AN ORDINANCE annexing certain territory commonly known as the Hearststone Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of fifty-one percent (51%) of the territory sought to be annexed and by the owners of seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; AND,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

land located in the Northeast corner of the intersection of the main office of Lake City Bank or any branch thereof.

Tickets: \$8 adults, \$5 students and seniors.

Tip fund. Program begins at 8 p.m.

Guest Pops, benefits Tri Kappa.

Music as performed by Arthur Fiedler.

Bend Symphony Orchestra, featuring "Old Warsaw Connection".

Pol auditorium, Warsaw. Concert by Fiedler Connection. Old Warsaw.

Tickets: \$10.

1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill to: X-90-03-09 Annexation Ordinance No. X-02-90

Bill No. X-90-03-09,
ANNEXATION ORDINANCE NO. X-02-90
AN ORDINANCE annexing certain territory commonly known as the Hearthstone Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,
WHEREAS, said petition has been signed by the owners of fifty-one percent (51%) of the territory sought to be annexed and by the owners of seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; AND,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northeast one-quarter and the Northwest One-quarter of Section 1, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the south right of way line of Wallen Road and the east right of way line of the abandoned New York Central Railroad; thence south along the said east right of way line to east-west center line 100 feet to the west right of way line of the abandoned New York Central Railroad; thence West along said east-west center line also being the present city limits 1070.11 feet; thence North 0 degrees 27 minutes 20 seconds East a distance of 173.44 feet; thence North 12 degrees 49 minutes 43 seconds East a distance of 612.58 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 226.32 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 150.0 feet; thence North 81 degrees 56 minutes 34 seconds East a distance of 50.67 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 130.0 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 273.94 feet; thence North 6 degrees 45 minutes 32 seconds West a distance of 186.19 feet; thence North 2 degrees 01 minutes 25 seconds West a distance of 92.87 feet;

thence North 9 degrees 09 minutes 32 seconds East a distance of 94.74 feet; thence North 29 degrees 38 minutes 56 seconds West a distance of 279.01 feet; thence North 0 degrees 00 minutes West a distance of 4.11 feet; thence South 89 degrees 59 minutes 52 seconds East a distance of 402.0 feet; thence North 0 degrees 36 minutes 06 seconds East to the south right way line of Wallen Road; thence East along the south right of way line to the point of beginning containing 52 acres more or less.

The boundaries of said territory are those outlined in a location map designated "Hearthstone Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, improved services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory.

The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, wharrior facilities and stormwater drainage facilities to the annexed territory within three (30) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan is examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council way of a separate Resolution adopted contemporaneously with the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division 1, Section 9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That, after its passage, and any and all necessary approval by the Mayor, due legal publication, and and the required sixty (60) day monstration period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 1, 1994.

and the third time in full and on motion by Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Bradbury, Burns, Edmonds, Gialquinta, Henry, Long, Redd, Schmidt, Talarico
Nays: none
ABSENT: None

ABSTAINED: none
DATED: 4-24-90

Nadejda Eshcoff,
Deputy Clerk

passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-90, on the 24th day of April, 1990.

ATTEST:
Nadejda Eshcoff
Deputy Clerk

Charles B. Redd
Presiding Officer
Presented by Me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1990, at the

columns wide equals 157 equivalent lines

\$ 77.72

containing rule or tabular work

2.00

publication (\$1.00 for each proof in excess of two)

\$ 79.72

M

T

ems

and penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount allowing all just credits, and that no part of the

Nicole Allred

19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/

she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN

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two time(s), the dates of publication being as follows:
5/3, 10/90

Nicole Allred

Subscribed and sworn to before me this 10th day of May, 19 90.

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

Re: *Hearthstone Annexation (Ord. No. X-02-90)*

Dear :

Per I.C. 36-4-3-22, please find attached a copy of the above noted annexation which was approved by the City Council

April 24, 1990. The annexation was duly published
May 3 and 10, 1990.

PLEASE NOTE THAT THIS ANNEXATION DOES NOT BECOME EFFECTIVE
UNTIL *December 31, 1994*.

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

Sincerely yours,

Sandra E. Kennedy
City Clerk

ENCL:

ANNEXATION ORDINANCE NO. X- 02-90

AN ORDINANCE annexing certain territory commonly known as the Hearthstone Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of fifty-one percent (51%) of the territory sought to be annexed and by the owners of seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; AND,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northeast One-quarter and the Northwest One-quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the south right of way line of Wallen Road and the east right of way line of the abandoned New York Central Railroad; thence South along the said east right of way line to east-west center line of Section 11, Township 31 North, Range 12 East; thence West along said east-west center line 100 feet to the west right of way line of the abandoned New York Central Railroad; thence West along said east-west center line also being the present city limits 1070.11 feet; thence North 0 degrees 27 minutes 20 seconds East a distance of 173.44 feet; thence North 12 degrees 49 minutes 43 seconds East a distance of 612.58 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 226.32 feet; thence South 88 degrees 42 minutes 30 seconds East a distance

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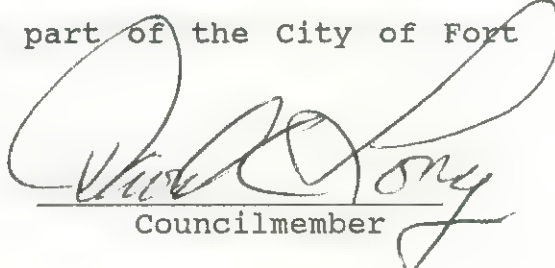
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1 SECTION 3. That governmental and proprietary
2 services will be provided to the above described territory
3 in a manner consistent with the written Fiscal Plan for the
4 territory developed by the Division of Community and
5 Economic Development. Said Plan was examined by the Common
6 Council of the City of Fort Wayne and is approved and
7 adopted by the Common Council way of a separate Resolution
8 adopted contemporaneously with the passage of this
9 Ordinance.

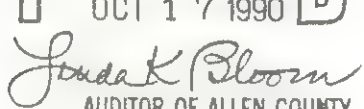
10 SECTION 4. That said described territory shall be
11 a part of Councilmanic Political Ward No. 3 of the City of
12 Fort Wayne, Indiana, as described in Division I, Section 2-9
13 of Chapter 2 of the Municipal Code of the City of Fort
14 Wayne, Indiana of 1974, as amended.

15 SECTION 5. That, after its passage, and any and
16 all necessary approval by the Mayor, due legal publication,
17 and the required sixty (60) day remonstrance period, this
18 Ordinance shall be in full force and effect. The above
19 described territory shall become part of the City of Fort
20 Wayne on December 31, 1994.

21 
22 Councilmember

23
24 APPROVED AS TO FORM AND LEGALITY

25
26 
27 J. TIMOTHY McCAULAY, CITY ATTORNEY

28 AUDITOR'S OFFICE
29 **F I L E D**
30 OCT 17 1990
31 
32 AUDITOR OF ALLEN COUNTY

ANNEXATION ORDINANCE NO. X-

02-90

AN ORDINANCE annexing certain territory commonly known as the Hearthstone Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of fifty-one percent (51%) of the territory sought to be annexed and by the owners of seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; AND,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and

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90 OCT 19 AM 11:11
ALLEN COUNTY CLERK
J. C. [Signature]

N/C

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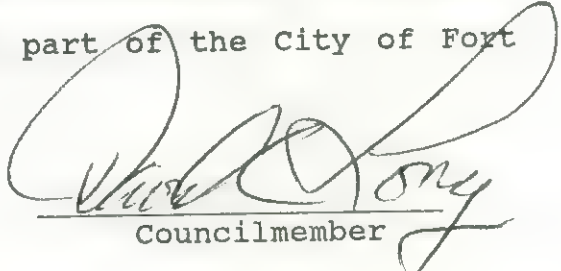
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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

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SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

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SECTION 5. That, after its passage, and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1994.


Councilmember

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APPROVED AS TO FORM AND LEGALITY


J. TIMOTHY McCAULAY, CITY ATTORNEY

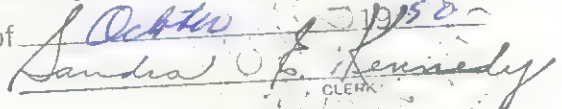
Attest:

The above and foregoing is a true and perfect copy of Bill No. X-90-03-09

Amendment Ord. No. X-02-90
as the same appears and remains on record in my office.

Witness my hand and seal this 18th

day of October

1990

CLERK

Fort Wayne Common Council

(Governmental Unit)

Allen

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

157 lines, 1 columns wide equals 157 equivalent lines
at .495 cents per line

\$ 77.72

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

2.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

\$ 79.72

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: May 10, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

5/3, 10/90

Subscribed and sworn to before me this 10th day of May, 19 90.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

Fort Wayne Common Council

To: The Journal-Gazette Dr.

(Governmental Unit)

P.O. Box 100
Fort Wayne, IN

Allen County, Indiana

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Notary Public Whitley County, IN
SHELLEY R. LARUE

March 3, 1994

My commission expires:

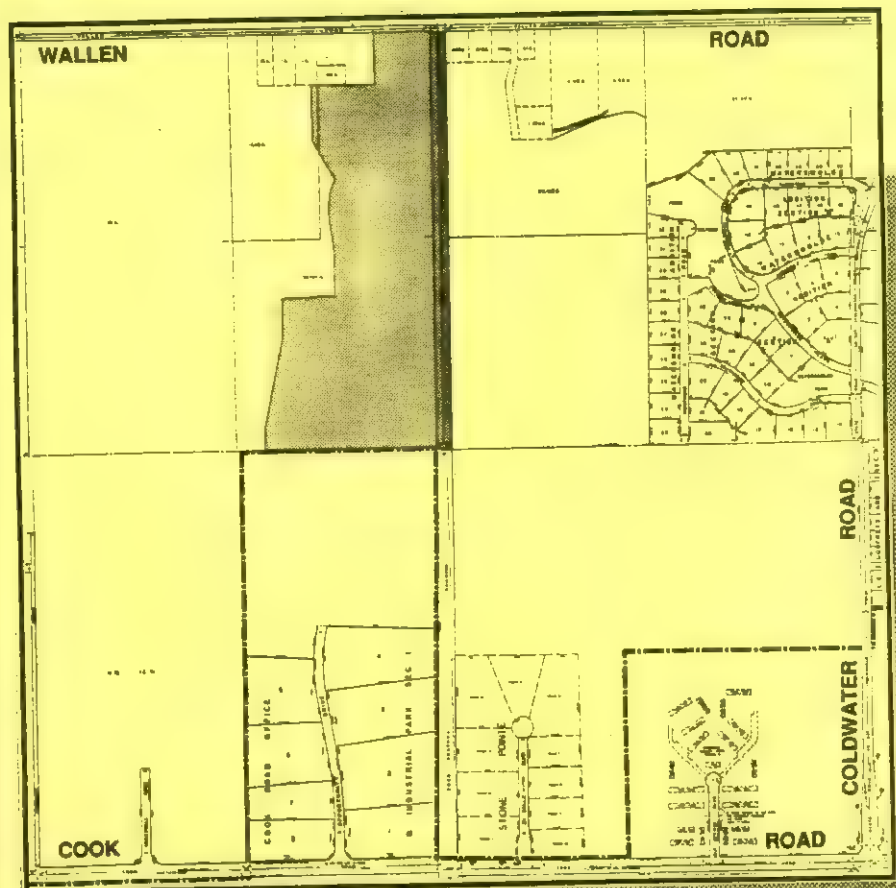
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

March 1990

Hearthstone

COMMUNITY & ECONOMIC
C&ED
DEVELOPMENT



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Greg Purcell
Director
Division of Community Development and Planning

Fort Wayne City Plan Commission
Stephen Smith, President
Mel Smith, Vice-President
Robert Hutner, Secretary
Mark Gensic
Charles E Layton
David Long
John Shoaff
Wil Smith
Yvonne Stam

RESEARCH AND PREPARATION

Gary Stair, Senior Planner
Robert Woenker, Planner II

INTRODUCTION

On March 13, 1990 the Division of Community and Economic Development received a petition from North Eastern Corporation for the annexation of approximately 52 acres of undeveloped land north of the Cook Road Office and Industrial Park. A 131 lot single-family residential development has been proposed for the area and is expected to be completely constructed prior to the effective date of annexation.

The Hearthstone Annexation satisfies the criteria of the Indiana State Statutes. This plan describes the area to be annexed; sets forth a plan to provide municipal services; and summarizes the financial impact of annexation upon the City.

TABLE OF CONTENTS

INTRODUCTION: HEARTHSTONE	i
SECTION I BASIC DATA	
A. Location	1
B. Size	1
C. Population	1
D. Land Use	1
E. Zoning	1
F. Assessment	1
G. Tax Rate	1
H. Council District	3
I. Topography	3
J. Selected Areas Within Corporate Boundaries	3
SECTION II: THE COMPREHENSIVE ANNEXATION PROGRAM	
SECTION III: STATE LAW REQUIREMENTS	5
SECTION IV: MUNICIPAL SERVICES	6
A. Police Department	8
B. Fire Department	9
C. Emergency Medical Service	10
D. Solid Waste Disposal	10
E. Traffic Control	11
F. Streets and Roads	12
G. Parks	12
H. Water	12
I. Fire Hydrants	13
J. Sanitary Sewers	13
K. Storm Sewers	13
L. Street Lighting	13
M. Liability For Township Debt	13
N. Animal Control	14
O. Administrative Services	14
SECTION V: PLAN FOR HIRING DISPLACED GOVERNMENT EMPLOYEES	
SECTION VI: FINANCIAL SUMMARY AND RECOMMENDATION	15
A. Revenues	16
B. Expenditures	17
C. Five Year Summary	18
D. Recommendation	19

SECTION ONE

BASIC DATA

A. LOCATION

The area being petitioned for voluntary annexation is bounded on the south by the existing Fort Wayne city limits, on the west by irregular lines within the Northwest Quarter of Section 11 Washington Township, on the north by Wallen Road and on the east by the abandoned railroad right-of-way (See Figure 1).

B. SIZE

The Hearthstone Annexation contains approximately 52 acres.

C. POPULATION

The population of the annexation area is 0 and there are no residential structures in the area. However, it is anticipated that 131 single-family dwelling will be developed in the area by the effective date of annexation. Using block statistics from the 1980 Census of Population and Housing, it is projected that the annexation area will have a population of 317 persons and a density of 6.1 persons per acre.

D. PATTERNS OF LAND USE

Presently the land is vacant, but plans have been submitted for single-family residential development of the area.

E. ZONING

The Hearthstone Annexation area has only one zoning classification: RSP-3 (Medium Density Planned Residential). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and will be classified R3 (Multiple Family Residence District).

F. ASSESSMENT

Current: \$11,340

Projected After Annexation: \$3,357,530

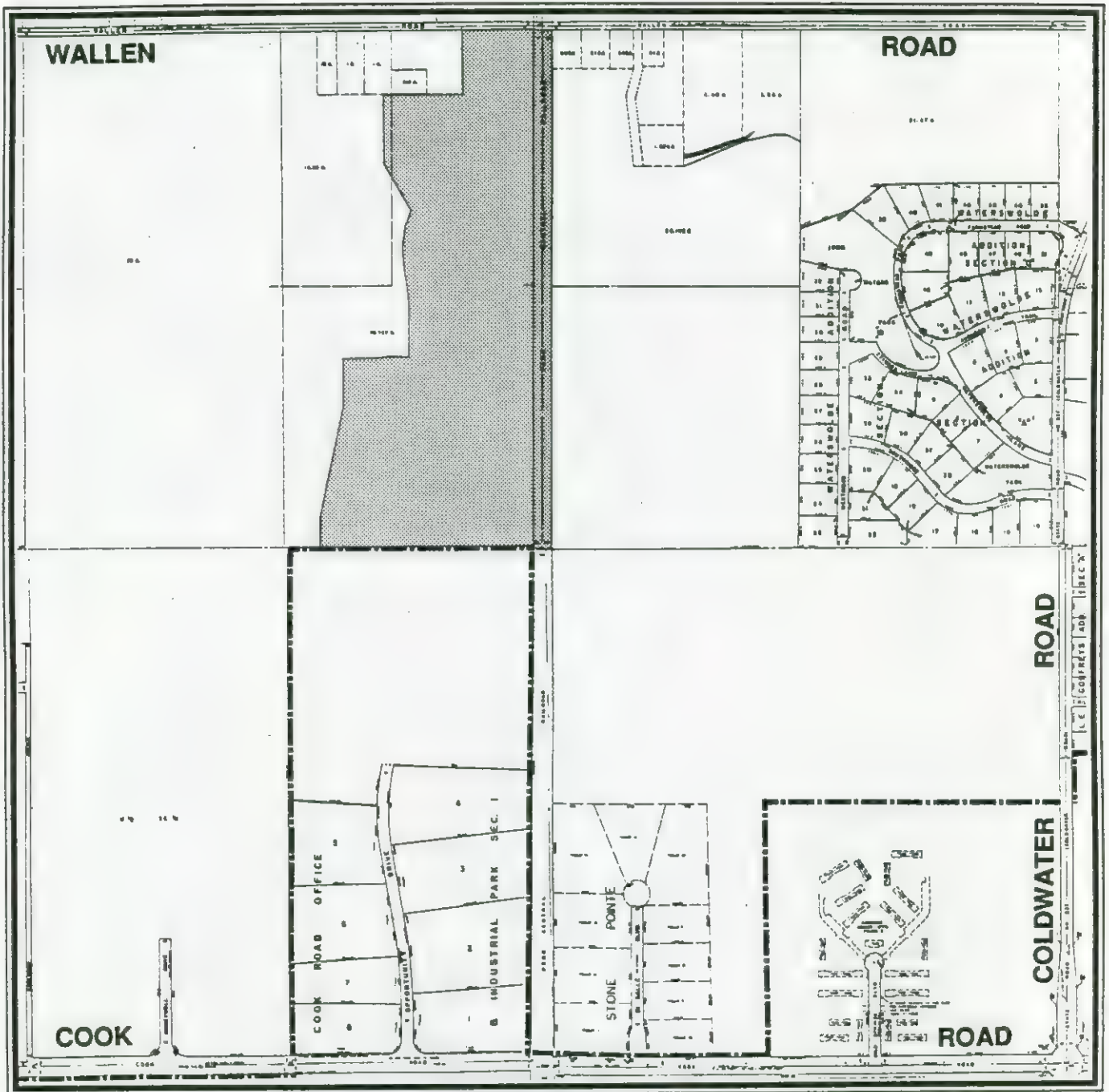
G. TAX RATE (1988 PAYABLE 1989)

Existing: \$ 6.9968

After Annexation: \$10.9391

Increase: \$ 3.9423 (56.3 percent increase)

FIGURE I



LOCATION

H. COUNCIL DISTRICT

The annexation area will be in City Council District 3.

I. TOPOGRAPHY

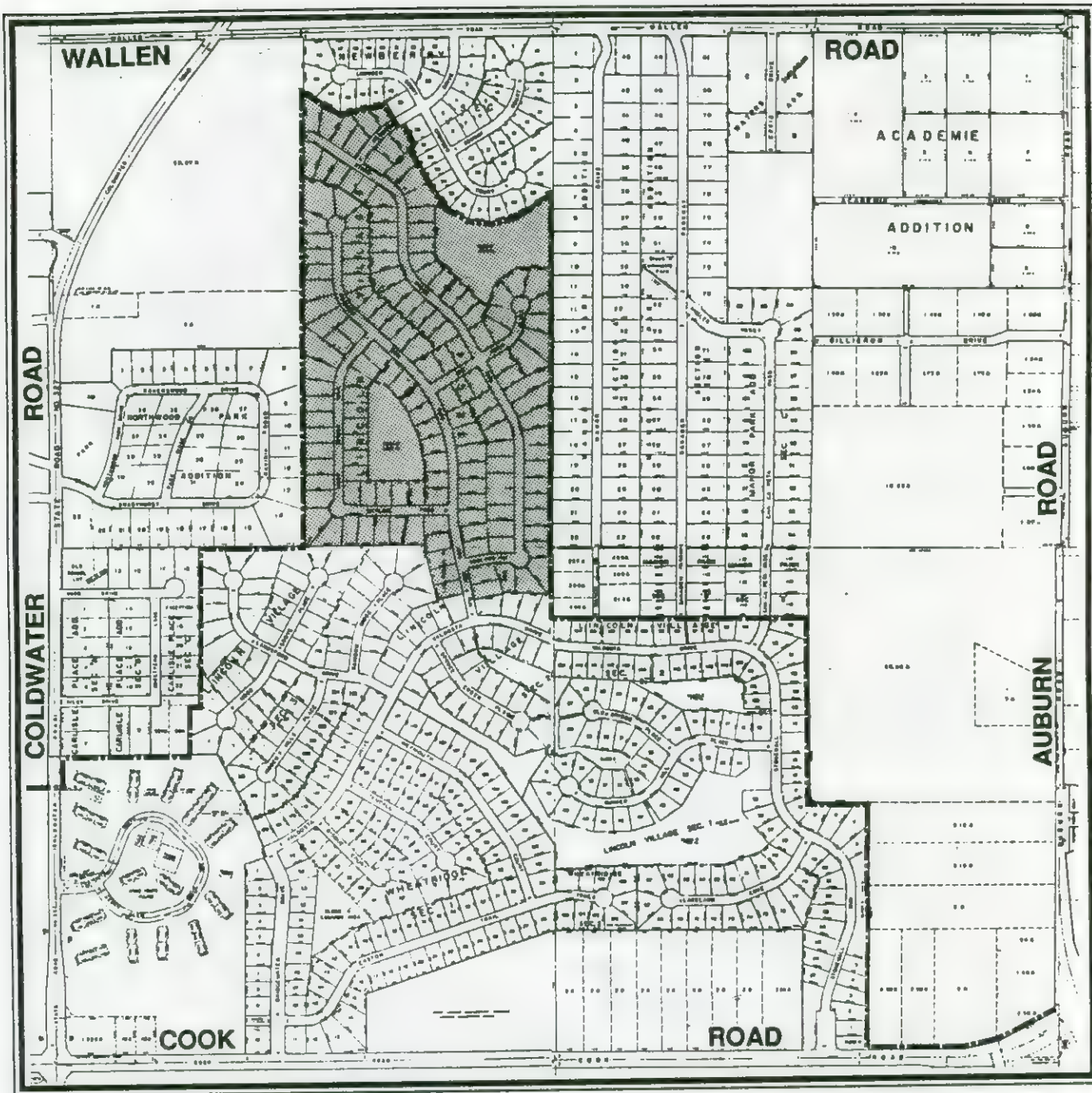
The Hearthstone annexation area contains clay type soils. It has been determined using U.S. Geological Survey Maps that the area has a low relief and that the slope of the area ranges from nearly level (0 to 2 percent slope) to gently sloping (2 to 6 percent slope).

J. SELECTED AREAS WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE, AND POPULATION DENSITY

As the City of Fort Wayne has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use, and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use, and population density to the Hearthstone Annexation area is the Lincoln Village IV area (See Figure 2). Below is a comparison of the two areas.

	<u>Hearthstone Annexation Area</u>	<u>Lincoln Village IV</u>
Topography	Low relief, flat to gently sloping, clay soil	Low relief, flat to gently sloping, clay soil
Patterns of Land Use	Proposed single- family development	Single-family development
Population Density	Projected to be 6 persons per acre (using U.S. Census Information)	6 persons per acre

FIGURE II



SIMILAR AREA

(LINCOLN VILLAGE)

SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Hearthstone area is part of a larger, comprehensive annexation program that was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Hearthstone area met this criteria in 1975-76, the report identified it as part of a larger area, WASH-1, which was recommended for annexation.

SECTION THREE - STATE LAW REQUIREMENTS

State law stipulates that if an area is one-eighth contiguous to the City, it can be annexed voluntarily if 51% of the property owners in the territory sought to be annexed, or owners of 75% of the total assessed value of the land petition for an ordinance annexing the area.

The area meets the contiguity requirements in that it is over one eighth contiguous to the City of Fort Wayne, being 14% contiguous to city boundaries (See Figure 3).

The area also meets the second requirement, as 100% of the property owners in the area have petitioned for annexation.

Therefore, the Hearthstone Annexation complies with the relevant state law requirements.

FIGURE III

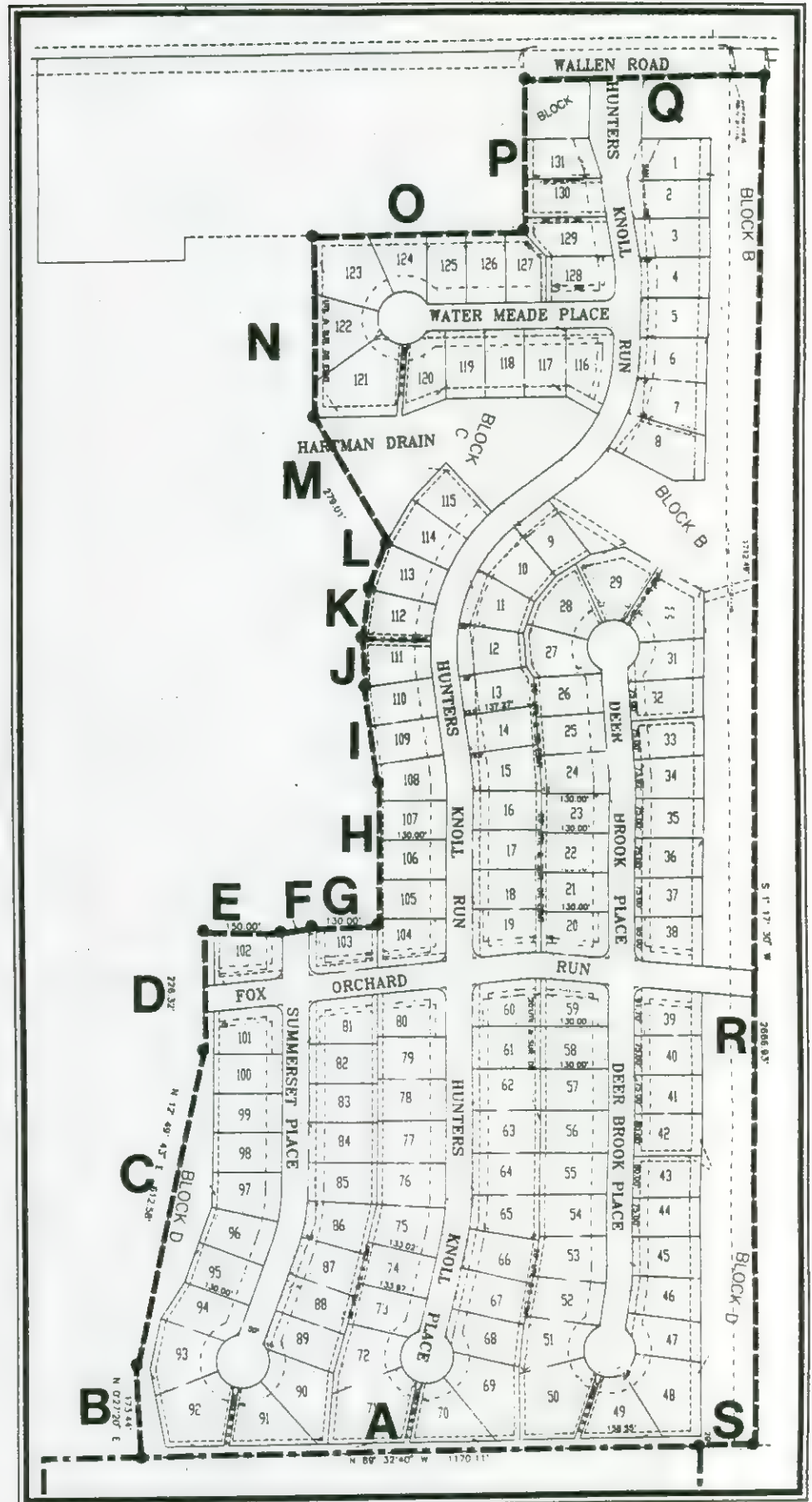
CONTIGUITY

CONTIGUOUS NON-CONTIGUOUS

A. 1070'	B. 173'
	C. 613'
	D. 226'
	E. 150'
	F. 51'
	G. 130'
	H. 274'
	I. 186'
	J. 93'
	K. 95'
	L. 95'
	M. 279'
	N. 344'
	O. 402'
	P. 290'
	Q. 463'
	R. 2630'
	S. 100'

1070' (14%) 6594' (86%)

7664' TOTAL



SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Hearthstone Annexation area. The Plan also describes how and when the City plans to extend the services of non-capital and capital improvement natures. As will be seen, the explanations of the above provisions satisfy the requirements of Indiana state law.

Presently, the Hearthstone Annexation area is undeveloped. It is anticipated that when this annexation becomes effective the area will be 100 percent developed. The financial analysis in this section is based upon this assumption.

As required by state law, the annexation area will receive planned services of a non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

The City of Fort Wayne has adopted uniform service standards within its corporate limits to guarantee that the annexation area will receive non-capital and capital services in a manner equivalent in standard and scope to all other areas of the City with similar topography, patterns of land use, and population density. To illustrate this comparison, the Lincoln Village IV area has been selected as a representative area within the corporate boundaries to the annexation area. All services described in subsequent subsections of the Municipal Service Section, as they pertain to the Hearthstone Annexation, are also applicable to the Lincoln Village IV area.

A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work, such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 1 will be expanded to cover the Hearthstone Annexation

Area. The Police Department keeps a record of the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. Police District 1 statistics were used to project service needs and costs because this district is adjacent to the Hearthstone Annexation area, and has similar demographic characteristics, as well as having comparable types of calls for police service.

Costs for service are based upon the estimated number of calls per year. This figure is then multiplied by the estimated average time per call, .75 hours, giving the total annual service time. Direct personnel costs are derived by multiplying the total annual service time by the average hourly rate of \$11.64 and then by the average number of police officers on duty at any one time in Police District 1. Non-personnel costs including capital costs and operating costs for police vehicles have also been included in the total costs to provide services, which have been calculated to be 3 percent of the total direct personnel costs.

It has been estimated that there will be 52 calls for service per year in the Hearthstone Area. Personnel costs to respond to the 52 calls for service using the above mentioned methodology are \$454 per year. Non-personnel costs are estimated to be \$14 annually. Adding the above costs together, the total annual cost to answer calls for service in the Hearthstone area for one year is \$468.

CAPITAL COST:	\$	0.00
ESTIMATED ANNUAL COST:	\$	468.00

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing all fire protection services to the Hearthstone Annexation Area immediately upon annexation. These services include, but are not limited to, full fire suppression activities, fire prevention activities, emergency medical support response on life hazards, general hydrant maintenance, emergency hazardous materials response, public education and public relations services, and fire investigation services. Primary response will come from a new north side fire station that will be on line at the time this annexation becomes effective on December 31, 1994. While the exact location of the station has yet to be determined, it will be within the distance and time guidelines set for primary responder by the Fort Wayne Fire Department. Backup response will come from Station 6 located at 1600 Coliseum Boulevard West.

The annexation of Hearthstone will not require a new fire station nor will it require additional personnel or equipment. Costs for providing service to the area were derived by multiplying a cost

per call figure of \$928 by the number of estimated runs to the area in one year. The Fort Wayne Fire Department has estimated that there will be approximately 10 calls annually. Total costs would be calculated at \$9,280 per year.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$9,280.00

C. EMERGENCY MEDICAL SERVICE

Presently, the Three Rivers Ambulance Authority is the only provider of ambulance service to City residents. Hearthstone Annexation Area residents will receive full advanced life support ambulance service immediately upon annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from the previously described new north side fire station. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician on duty at all times.

The method of financing Emergency Medical Services is based on user fees. The charges for ambulance service are shown below:

1. \$120 plus \$3 per loaded mile for non-emergency transfer scheduled 24 hours in advance.
2. \$170 plus \$3 per loaded mile for non-scheduled, non-emergency transfers.
3. \$380 for emergencies for all City and non-City residents.

This method of financing permits service to be extended to the annexation area with its existing budget, while no additional manpower or equipment will be needed to service the annexation area.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

D. Solid Waste Disposal

Upon annexation, Fort Wayne will provide garbage collection to the Hearthstone Annexation Area. The City currently contracts with Waste Management of Fort Wayne to supply this service. According to the contract agreement, the City is charged \$42.85

per ton for this service. The average Fort Wayne resident produces 1,237.6 pounds of collectible garbage annually. Consequently, annexation of the estimated 317 persons in the Hearthstone Annexation Area will cost \$8,405 per year. Solid waste collection will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL OPERATING COST: \$8,405.00

E. Traffic Control

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area eight to ten months after the effective date of annexation. Traffic Engineering provides installation and maintenance of traffic control devices and completes surveys and investigations which are needed to provide these services. The Traffic Engineering Department will not require additional personnel to perform its services in the Hearthstone Annexation Area specifically. Capital and labor costs will be \$455.05 for the installation of street signs in the area.

TABLE 1
STREET SIGNAGE COSTS

<u>Type</u>	<u>Size</u>	<u>No. Required</u>	<u>Cost/Unit</u>	<u>Total Cost</u>
Street Name	30" x 6"	5	\$49.90	\$ 249.50
STOP	30" x 30"	1	\$28.35	\$ 28.35
<u>Posts</u>				
12' 2 lb.		5	\$11.25	\$ 56.25
12' 3 lb.		1	\$15.65	\$ 15.65
<u>Labor</u>				\$ 105.30
TOTAL LABOR AND MATERIAL (for signage)				\$ 455.05

Funding sources for these services will come from Real Estate Taxes and Motor Vehicle Highway (MVH) Funds.

CAPITAL COST: \$455.05
ESTIMATED ANNUAL COST: \$ 0.00

F. STREETS AND ROADS

The incorporation of the annexation area will add 1.15 miles of residential streets to the City street system. Of this total, all 1.15 miles of the residential streets will be in good condition. The Fort Wayne Street Department will be responsible for the general maintenance of all the streets in the annexation area immediately upon annexation. General maintenance includes snow and ice removal as well as berm work. Leaf removal, street sweeping and grass mowing are all under the auspices of the Street Department. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys and sidewalks that will be constructed within the annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and will be similar to those services already provided to the rest of the City. The average cost of general street maintenance is roughly estimated to be \$2,500 per mile of street per year, so the annexation will cost the City approximately \$2,875 per year. The funding source for street maintenance is the Street Department budget which is made up of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering Department funds come from the MVH, Federal Aid Urban (FAU) and Local Arterial Roads and Streets (LARS) Programs.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$ 2,875.00

G. PARKS

Future residents of the annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. No new park facilities will need to be developed for the Hearthstone Annexation area. Residents will be in close proximity to Shoaff Park, a 169 acre community park.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

H. WATER

By the deferred annexation date of December 31, 1994, the Fort Wayne Water Utility will have provided water to the area. The developer will have paid for the installation.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

I. FIRE HYDRANTS

Prior to annexation, the developer will at his expense, install the required fire hydrants. The City of Fort Wayne pays the Fort Wayne Water Utility \$183.83 annually for each fire hydrant located within the City. There will be 14 fire hydrants in the annexation area by the time this subdivision comes into the City. The City will pay the water utility \$2,574 per year, with funding supplied from the General Fund.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$2,574.00

J. SANITARY SEWERS

The Fort Wayne Department of Water Pollution Control (WPC) has the capability of extending service into the area. The City of Fort Wayne has approved final plans for the extension of sanitary sewers into the subject area. The total cost of construction will be the responsibility of the developer.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

K. STORM SEWERS

Upon annexation the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the annexation area. It is the City's policy that the financing of storm sewers be the responsibility of property owners.

ESTIMATED ANNUAL COST: \$0.00

L. STREET LIGHTING

The developer of the Hearthstone Subdivision has stated that he is planning to install the "City Standard Ornamental Light Pole and Fixture" in the subdivision. The lighting will be installed at the intersections, at cul-de-sacs and mid-block along the streets. Immediately upon the effective date of annexation, the City will take responsibility for the maintenance and energy cost for the 16 lights (proposed to be constructed) in the area.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$140.00

M. LIABILITY FOR TOWNSHIP DEBT

State law (36-4-3-10) mandates the apportionment of debt from the township upon annexation. Using the 1988 payable 1989 Washington Township fire debt tax rate of \$.0351, it is estimated that the

City will incur an annual liability for the township's bonded indebtedness of approximately \$1,133.

The liability will be listed as an annual capital expenditure in the Financial Summary and Recommendation of this fiscal plan beginning in 1996.

CAPITAL COST: \$1,133.00 (Annually until debt retired)
ESTIMATED ANNUAL COST: \$ 0.00

N. ANIMAL CONTROL

The Hearthstone Annexation area is located within the north district of the Fort Wayne Animal Control Department. Currently, the north district is not yet at capacity. Therefore, costs would be negligible to provide this service to the area,

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

O. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Hearthstone Annexation Area within one year of the annexation date. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are prepared with the expectation that the City will annex several areas during the budgetary period. Therefore, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State, and the federal government.

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that, due to the annexation of the Hearthstone subdivision, any governmental employees will be eliminated from other governmental agencies. In the event government employees lose their jobs due to the annexation of this area, these employees will be given priority of employment with the City of Fort Wayne with respect to vacancies for which they are qualified, which occur within six months following the effective date of annexation.

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to report the revenues and expenditures from the proposed Hearthstone Annexation. This section will also provide a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Hearthstone Annexation area. Property taxes are computed from the gross amount of assessed valuation.

TABLE 2
TAX REVENUE FORMULA

$$\frac{V-E}{100} (T) = TR$$

WHERE: V = Assessed Valuation
 E = Home Mortgage Exemption
 T = Tax Rate Difference
 TR = Tax Return

The Hearthstone Annexation area is presently undeveloped, but by the effective date of annexation, the subdivision should be totally developed. The average assessment of a home in Lincoln Village IV was used to project the total assessment in the Hearthstone Annexation area. This average assessment which calculated to be \$25,630 was used because the houses within Lincoln Village IV are of similar size and construction to those homes that are proposed to be constructed in the Hearthstone Subdivision. With 131 dwellings proposed to be developed within the Hearthstone Annexation area, the area's total assessment would be calculated to be \$3,357,530. The home mortgage exemption is deducted from this total. Assuming that each one of the 131 residential structures is eligible for a home mortgage exemption of \$1,000, the total taxable assessed valuation of the annexation area becomes \$3,226,530 in 1989. Property tax revenue for 1989 can then be determined by applying the Fort Wayne/Washington Township municipal tax rate to this figure giving a total property tax revenue of \$130,755 (See Table 3). Using a three percent annual rate of inflation the property tax revenue for 1996, the first year taxes would be due after annexation, would be \$160,812. (A portion of this revenue would be supplied from the State Property Tax Relief Fund).

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local

Arterial Roads and Streets (LARS) Funds. These funds are allocated based on street miles. In 1988, the City received \$5,375 per street mile from the Motor Vehicle Highway (MVH) Fund and \$2,342 from the Local Arterial Roads and Streets (LARS) Fund. The annexation area will add 1.15 miles to the City's street system. Therefore, the City will receive an additional \$6,181 from Motor Vehicle Highway (MVH) and an additional \$2,693 from Local Arterial Roads and Streets (LARS) because of the Hearthstone Annexation. These funds will be received annually beginning one year after the effective date of annexation.

TABLE 3
TAXING DISTRICT RATE

Corporation General	\$2.0854
Corporation Debt Service	.4197
Firemen Pension	.1754
Policemen Pension	.1607
Fire	.8171
Parks	.3595
Redevelopment General	.0126
Sanitary Officers Pension	\$.0221
	\$4.0525

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Hearthstone Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 4. Capital costs are one time expenditures, while, operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, all capital improvement projects must follow routine city procedures which often require petitioning.

Table 4 details the costs that will be incurred by each department upon the annexation of the Hearthstone area.

TABLE 4
EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$	\$ 468
Fire Department	0	9,280
EMS	0	0
Solid Waste Disposal	0	8,405
Traffic Control	455	0
Streets	0	2,875
Parks	0	0
Water	0	0
Fire Hydrants	0	2,574
Sanitary Sewer	0	0
Storm Sewer	0	0
Street Lighting	0	140
Liability For Township Debt (Annually)	1,133	0
Animal Control	0	0
Administrative Functions	0	0
TOTALS	\$ 1,588	\$ 23,742

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Hearthstone Annexation area for the first five years after it is incorporated into the City of Fort Wayne (See Table 6).

The summary automatically includes for each of the five years a 7 percent inflation factor for municipal expenditures and a 3 percent rate of inflation for municipal revenues. These inflation factors have been calculated by the City Controller by comparing City revenues and expenditures over the past several years.

Property tax revenue from the annexation area will not be collected until 1996. Assuming the area is annexed in December of 1994, assessment will not occur until March of 1995, with revenues being collected in 1996. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$33,936 in 1995.

TABLE 6
FIVE YEAR SUMMARY

	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS	BALANCE
1995	\$ 33,936			\$ - 33,936
1996	36,764	\$ 160,812	\$ 8,874	+132,922
1997	39,259	165,637	8,874	+135,252
1998	41,927	170,606	8,874	+137,553
1999	<u>44,781</u>	<u>175,724</u>	<u>8,874</u>	<u>+139,817</u>
TOTALS	\$ 196,667	\$ 672,779	\$35,496	\$+511,608

D. RECOMMENDATION

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the Hearthstone Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1994.

HEARTSTONE

Legal Description

A parcel of land located in the Northeast One-quarter and the Northwest One-quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the south right of way line of Wallen Road and the east right of way line of the abandoned New York Central Railroad; thence South along the said east right of way line to east-west center line of Section 11, Township 31 North, Range 12 East; thence West along said east-west center line 100 feet to the west right of way line of the abandoned New York Central Railroad; thence West along said east-west center line also being the present city limits 1070.11 feet; thence North 0 degrees 27 minutes 20 seconds East a distance of 173.44 feet; thence North 12 degrees 49 minutes 43 seconds East a distance of 612.58 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 226.32 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 150.0 feet; thence North 81 degrees 56 minutes 34 seconds East a distance of 50.67 feet; thence South 88 degrees 42 minutes 30 seconds East a distance of 130.0 feet; thence North 1 degree 17 minutes 30 seconds East a distance of 273.94 feet; thence North 6 degrees 45 minutes 32 seconds West a distance of 186.19 feet; thence North 2 degrees 01 minutes 25 seconds West a distance of 92.87 feet; thence North 9 degrees 09 minutes 32 seconds East a distance of 94.74 feet; thence North 20 degrees 29 minutes 09 seconds East a distance of 94.74 feet; thence North 29 degrees 38 minutes 56 seconds West a distance of 279.01 feet; thence North 0 degrees 00 minutes West a distance of 344.11 feet; thence South 89 degrees 59 minutes 52 seconds East a distance of 402.0 feet; thence North 0 degrees 36 minutes 06 seconds East to the south right of way line of Wallen Road; thence East along the south right of way line to the point of beginning containing 52 acres more or less

